

## REMARKS

Claims 1-14, 16-21, 25, 26, 31-35, 37, 39-53 and 55-60 are pending in the application. Claims 6, 15, 22-24, 27-30, 36, 38, 45, 54, and 61-64 have been canceled. Claims 7, 8, 16-21, 31-35, 37, 39, 46, 47, and 55-60 have been withdrawn from consideration by the Examiner. Applicants expressly reserve the right to file divisional applications on the subject matter of the withdrawn claims. New claims 65 and 66 have been added. The pending claims have been amended to more clearly distinguish the present invention over the prior art of record. The amendments to the claims are supported in the original claims and in the specification. No new matter has been added and Applicants submit that these amendments place all of the claims in condition for allowance.

### Claim Rejections

Claims 1-6, 9-14, 25, 26, 40-45, and 48-53 are rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. Specifically, the Examiner fails to find support for the claim language "A non-photochromic" optical article.

Independent claims 1, 26 and 40 have been amended to delete the requirement that the optical article be "non-photochromic", thus rendering moot the rejection under 35 U.S.C. §112, first paragraph. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 1-6, 9-14, 25, 26, 40-45 and 48-53 are rejected under 35 USC 103(a) as being obvious over US 5,236,978 to Selvig et al. ("Selvig") for the reasons set forth in the Office Action mailed January 26, 2006 (at pages 4-6). In view of the present claim amendments, Applicants respectfully traverse the rejection.

Selvig et al. discloses resin compositions of polyol (allyl carbonate) and allyl terminated polyurethane that may be used to prepare photochromic articles. The only nanoparticles disclosed by the reference are metal oxide encapsulated photochromic compounds. The Selvig et al. reference neither teaches nor suggests the present invention, i. e., an optical article formed from a polymerizable composition comprising a polymerizable monomer component and a nanoparticle material comprising ***alloys, metals, sulfides, carbides, tellurides, selenides, nitrides, or mixtures thereof***. There is additionally no teaching or suggestion in

Selvig that the nanoparticle has an average particle size of from 5 to 100 nm, that the nanoparticle has a refractive index greater than 1.7 that the nanoparticle has a refractive index greater than that of the polymerizable monomer, that the nanoparticles comprise any of the surface modifying chemicals recited in claims 9-13, 26, and 48-52, that the nanoparticle is present in the composition in an amount of 0.5 percent by weight to no greater than 50 percent by weight (claims 15 and 53), that the article has at least 50% transparency in a range of wavelengths of from 400 to 700 nm (claim 25), or that the composition has a density of no greater than 1.8 grams/cm<sup>3</sup> (claims 40-45 and 48-53). In view of the foregoing amendments and remarks, reconsideration and withdrawal of the rejection is respectfully requested.

### **Conclusion**

It is believed that Applicants' claims are patentable over the prior art, as Selvig neither teaches nor suggests the optical articles recited in the present claims.

Therefore, reconsideration and withdrawal of the rejection of the claims is respectfully requested. The Examiner is invited to contact Applicants' representative, undersigned below, with any questions.

Respectfully submitted,



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